

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| LAWMAN ARMOR CORPORATION, | : | |
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| Plaintiff, | : | Case No. 2:02-CV-04595-RK |
| | : | |
| v. | : | Judge Robert Kelly |
| | : | |
| WINNER INTERNATIONAL, LLC, and | : | |
| WINNER HOLDING LLC, | : | |
| | : | |
| Defendants. | : | |
| | : | |

**DEFENDANT'S MOTION TO EXTEND
DATE FOR EXCHANGING EXPERT REPORTS
AND SUBSEQUENT DATES IN SCHEDULING ORDER**

Defendant Winner International, Inc. (f/k/a/ Winner International, LLC) hereby moves the Court to extend the date for the parties to identify experts and exchange expert reports, currently set for January 5, 2004, by two weeks, until January 19, 2003. This motion is being made primarily for the convenience of Winner's experts, as the reports currently are due immediately following the end-of-year holidays. This is the first motion by Winner to modify the Scheduling Order of June 4, 2003.

Winner has approached counsel for plaintiff to inquire whether this motion might be made jointly or expressly without opposition. Plaintiff's counsel has advised the undersigned that plaintiff will not consent to the requested extension.

Granting this motion would impact the subsequent dates in the Court's Scheduling Order, particularly the deadline for filing dispositive motions. Accordingly, Winner moves that these dates also be extended by two weeks so that paragraphs 4-6 of the June 4, 2003 Scheduling Order be modified as follows:

4. the parties shall identify experts, if any, and exchange expert reports by January 19, 2004;

5. dispositive motions, if any, shall be filed by the parties on or before February 2, 2004;

6. if dispositive motions are not filed, counsels' Joint Pretrial Order shall be filed on or before February 17, 2004 and the case shall be placed in the Court's trial pool, subject to the rules published in the Legal Intelligencer, on February 17, 2004. If dispositive motions are filed, the Joint Pretrial Order is due within fourteen (14) days after the Court's disposition of the motions, and the case will be placed in the Court's trial pool fourteen (14) days after the Court's disposition of the motions; and

As Monday, February 16, 2004 is a federal holiday, the date specified in proposed paragraph 6 is the following day.

Winner submits that granting this motion will not prejudice the parties or substantially delay trial of this action, as Winner already has filed a motion for summary judgment. Winner also notes that plaintiff has recently filed a second amended complaint naming a new party, Winner Holding LLC. To the best of Winner's knowledge, that complaint has not been served on Winner Holding LLC.

A proposed order granting the motion and setting forth revised dates is being submitted with this Motion.

WHEREFORE, Winner respectfully requests that the date for the parties to exchange expert reports and the subsequent dates in the Scheduling Order be extended by two weeks.

Respectfully submitted,

Date: December 19, 2003

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Attorneys for Winner International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2003, a copy of the foregoing **DEFENDANT'S MOTION TO EXTEND DATE FOR EXCHANGING EXPERT REPORTS AND SUBSEQUENT DATES IN SCHEDULING ORDER** was served via messenger on the following attorney for plaintiff:

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